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## DECLARATION, POWER OF ATTORNEY, AND PETITION FOR PATENT APPLICATION

Applicant: Sherrill E. Lavagnino and Jeffrey Michael Wolinsky  
Atty. Docket No. 102310-00115/ C00-069  
Serial No.: 09/753,240  
Filed: 12/31/00  
For: **MACHINE VISION METHOD AND APPARATUS FOR  
THRESHOLDING OF NON-UNIFORM MATERIALS**

### DECLARATION

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below, next to my name.

I believe that I am the original, first, and sole inventor (if only one name is listed below) or, the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

#### **MACHINE VISION METHOD AND APPARATUS FOR THRESHOLDING OF NON- UNIFORM MATERIALS**

the specification of which (check one)

is attached hereto.

was filed on 12/31/00 as Application Serial No. 09/753,240

I do not know and do not believe that the subject matter of this application was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application;

that said subject matter has not been patented or made the subject of an issued inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application;

that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a);

that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below; and

that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

## **POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

<b>Russ Weinzimmer, Esq.</b>	<b>Registration No. 36,717</b>
<b>Arthur J. O'Dea, Esq.</b>	<b>Registration No. 42,952</b>
<b>David J. Powsner, Esq.</b>	<b>Registration No. 31,868</b>

Send correspondence to:

**Russ Weinzimmer**  
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**Russ Weinzimmer at 508-650-3154**

Direct fax transmissions to:

**508-650-3329      Attention: Russ Weinzimmer, Esq.**

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## **PETITION FOR PATENT APPLICATION**

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of first inventor: Sherrill E. Lavagnino

Inventor's Signature: Sherrill E. Lavagnino Date: 2 Apr 2001

Residence: 3362 Herrier Street, Oakland, California 94602

Citizenship: United States

Post Office Address (if different): \_\_\_\_\_

Full Name of second inventor: Jeffrey Michael Wolinsky

Inventor's Signature:  Date: 2 Apr 2001

Residence: 2205 McGee Avenue, Berkeley, California 94703

Citizenship: United States

Post Office Address (if different): \_\_\_\_\_